



BILLING CODE 6717-01-P  
DEPARTMENT OF ENERGY  
Federal Energy Regulatory Commission

Trinity Conservancy, Inc.

[Project No. 719-033]

Notice of Application for Amendment of License and Soliciting Comments, Motions to Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- a. Application Type: Amendment to modify approved resident fish habitat and project tailrace plan and effectiveness monitoring plan
- b. Project No: 719-033
- c. Date Filed: July 11, 2014
- d. Applicant: Trinity Conservancy, Inc.
- e. Name of Project: Trinity Hydroelectric Project
- f. Location: The Trinity Project is located on Phelps and James Creeks, tributaries of the Chiwawa River in the Columbia River Basin, near the city of Leavenworth, in Chelan County, Washington.
- g. Filed Pursuant to: Federal Power Act, 16 USC 791(a) – 825(r)
- h. Applicant Contact: Reid L. Brown, President, Trinity Conservancy, Inc., 3139 E. Lake Sammamish, S.E., Sammamish, WA 98075, (425)392-9214.
- i. FERC Contact: B. Peter Yarrington, telephone (202) 502-6129 or email [peter.yarrington@ferc.gov](mailto:peter.yarrington@ferc.gov).
- j. Deadline for filing comments, motions to intervene, protests, and recommendations is 30 days from the issuance date of this notice by the Commission. The Commission strongly encourages electronic filing. Please file motions to intervene, protests, or comments using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters,

without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. Please include the project number **(P-719-033)** on any comments, motions to intervene, protests, or recommendations filed.

k. Description of Request: Trinity Conservancy, Inc. (license) requests amendment of the Trinity Project's resident fish habitat and project tailrace plan and effectiveness monitoring plan, which was approved in a Commission order issued April 22, 2008.<sup>1</sup> The Trinity Project uses water from Phelps Creek, then returns it via the project tailrace to the Chiwawa River, several hundred yards above where the historic natural channel of Phelps Creek meets the Chiwawa River. The April 22, 2008 order approved two alternatives for the tailrace plan, both involving routing of water through a short section of pipe to a new 858-foot open tailrace channel that would follow natural contours to a confluence with Phelps Creek above where it meets the Chiwawa River. The licensee now requests, based on consultation with resource agencies, an amendment of the tailrace plan which would utilize 680 feet of primarily buried pipe for the first section of the new tailrace, leading to a shorter open reach. The change would reduce water loss and provide enhanced salmonid habitat in the area where the tailrace would join Phelps Creek. The licensee also requests approval of minor modifications to the effectiveness monitoring plan.

l. Locations of the Application: A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE, Room 2A, Washington, DC 20426, or by calling (202) 502-8371. This filing may also be viewed on the Commission's website at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

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<sup>1</sup> Order Modifying and Approving Resident Fish Habitat and Project Tailrace Plan and Effectiveness Monitoring Plan Per Article 401, Appendix A Condition 1, and Appendix B Condition 6 (123 FERC ¶ 62,062).

n. Comments, Protests, or Motions to Intervene: Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. Filing and Service of Responsive Documents: Any filing must (1) bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE" as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). All comments, motions to intervene, or protests should relate to project works which are the subject of the proposed amendment. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. If an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

Dated: December 24, 2014

Kimberly D. Bose,  
Secretary.

[FR Doc. 2014-30797 Filed 01/02/2015 at 8:45 am; Publication Date: 01/05/2015]